



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** July 13, 2010

**TO:** Mayor and Councilmembers

**FROM:** Administration Division, Finance Department

**SUBJECT:** Grant Agreement With South Coast Community Media Access Center

### **RECOMMENDATION:**

That Council authorize the Finance Director to execute a grant agreement, in a form of agreement acceptable to the City Attorney, with the South Coast Community Media Access Center for management of the public and educational access television channels in an amount of \$288,800 covering the period from July 1, 2010, to June 30, 2011.

### **DISCUSSION:**

The Fiscal Year 2011 budget includes \$288,800 in the Community Promotion Program for the South Coast Community Media Access Center (CMAC). Since January 1, 2003, CMAC has been designated by the County of Santa Barbara under its franchise with Cox as the nonprofit entity to manage the public and educational access channels in the south Santa Barbara County region. The City has also maintained an annual grant agreement with CMAC since that time.

The proposed grant agreement with CMAC for Fiscal Year 2011 contains the following provisions:

1. Term: July 1, 2010 – June 30, 2011.
2. Funding: The City will grant CMAC quarterly advance payments of \$68,450 for public and educational access support. Additionally, the City will grant an additional \$15,000 to be paid in January 2011 dedicated for support of educational access. The total annual funding of \$288,800 includes a reduction of \$58,142 from the amount appropriated in the current fiscal year and allows Council to reduce funding by no more than \$57,500 with 30 days notice in the event that labor concessions with several bargaining units to bring the General Fund into balance are not reached for fiscal year 2011.

3. Indemnification: The City will be indemnified against any and all claims and actions arising from the performance of services under the agreement. Indemnification is a standard provision in all City grant agreements, including human services and community promotions grants. All nonprofit entities receiving City grant funds are required to defend and indemnify the City from any and all claims which may arise as a result of the actions of the Grantee.
4. Insurance: The insurance provisions are standard insurance requirements for City grant recipients with the exception of the liability policy requirements. Because of the specialized nature of services provided under the agreement, this agreement requires a media and broadcaster's liability policy. This is the same type of policy required of Cox Communications under the City's prior franchise agreement.
5. Compliance with Laws and Regulations: The agreement states that CMAC will comply with all applicable state and federal laws and regulations with specific reference to the Ralph M. Brown Act and the Public Records Act. This language is consistent with the County of Santa Barbara's legal compliance provisions in their operating agreement with CMAC and the previous City agreements with CMAC.

The CMAC board-elect reviewed and accepted the agreement at their board meeting on June 24, 2010. Staff recommends Council authorize the Finance Director to execute the agreement.

**PREPARED BY:** Jill Taura, Treasury Manager

**SUBMITTED BY:** Bob Samario, Interim Finance Director

**APPROVED BY:** City Administrator's Office